

# 1481CV05570 McGillian, John F. vs. Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley et al

<b>Case Type</b>	Contract / Business Cases	<b>Initiating Action:</b>	Other Contract Action
<b>Case Status</b>	Open	<b>Status Date:</b>	11/05/2014
<b>File Date</b>	06/19/2014	<b>Case Judge:</b>	
<b>DCM Track:</b>	F - Fast Track	<b>Next Event:</b>	01/25/2017

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## Docket Information

Docket Date	Docket Text	File Ref Nbr.
06/19/2014	Complaint & civil action cover sheet filed	1
06/19/2014	Origin 1, Type A99, Track F.	
06/19/2014	Plaintiff's ex parte MOTION for approval of attachment by trustee process. The within matter is set down for hearing on June 26, 2014 in Courtroom 520 at 2:00 p.m. (Gordon, J.). Copy given in hand.	2
06/19/2014	Affidavit of John F. McGillian.	3
07/01/2014	(P#2) - After hearing, for good cause shown, and in the absence of opposition by the defendant (who did not appear, despite notice), trustee process is ALLOWED in the amount of \$255,000 (Gordon, J.). 6/26/14. Notice mailed 7/1/14.	
07/11/2014	Trustee Statement, filed by Richard B. Keeler.	4
07/31/2014	SERVICE RETURNED (trustee summons): Richard B. Keeler, Trustee of the Pohogonot Trust 6-27-2015, 39 Rich Valley Road, Wayland, MA 01776	5
07/31/2014	SERVICE RETURNED: Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley(Defendant) on 6/23/14 by leaving at L&U, 18 Graf Road #26 Newburyport, MA 01950	6
08/04/2014	Pleading, Plaintiff's Request for Entry of Default Pursuant to Mass.R.Civ.P.55(a0), Military Affidavit and Affidavit in Support of Entry of Default, returned to James T Kinder, Esq., for/or John F. McGillian.: Document has to specify which defendant it is being requested for.	
08/27/2014	ANSWER by Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley to COMPLAINT (claim of trial by jury reqstd)	7
09/25/2014	Order Scheduling Litigation Control Conference on 10/29/2014, copies mailed 9/25/2014	8
10/01/2014	Case status changed to 'Needs review for answers' at service deadline review	
11/05/2014	Case status changed to 'Needs discovery' at answer deadline review	
07/01/2015	Plaintiff(s) John F. McGillian's Motion for Alternative Service of Process. Filed in Court and ALLOWED. (Fishman, J.). Copy given in hand.	9
07/01/2015	Summons, returned SERVED 10/6 2014 L&U return without service Applies To: Hadley Pollet LLC (Defendant)	10
07/16/2015	Summons, returned SERVED 7-1-15, certified mail, return receipt requested (copy), c/o Hadley Pollet LLC 18 Great Pond, Newbury Port MA 01950 Applies To: Hadley Pollet LLC (Defendant)	11
07/29/2015	Received from Defendant Hadley Pollet LLC: Answer with claim for trial by jury;	12
07/29/2015	Appearance entered On this date Valentin David Gurvits, Esq. added for Defendant Hadley Pollet LLC	

Docket Date	Docket Text	File Ref Nbr.
07/29/2015	Appearance entered On this date Valentin David Gurvits, Esq. added for Defendant Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley	
07/29/2015	Appearance entered On this date Matthew Shayefar, Esq. added for Defendant Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley	
01/28/2016	The following form was generated:  Notice to Appear for Final Pre-Trial Conference Sent On: 01/28/2016 10:10:24	
03/02/2016	Plaintiff, Defendant John F. McGillian, Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley, Hadley Pollet LLC's Joint Motion to extend tracking deadline(s)	13
03/02/2016	Endorsement on Motion to Joint (#13.0): Other action taken The FPTC is converted to a Rule 16 conference on the same date and time	
03/04/2016	The following form was generated:  Notice to Appear Sent On: 03/04/2016 15:19:38	
03/07/2016	Event Result: The following event: Rule 16 Conference scheduled for 03/07/2016 02:00 PM has been resulted as follows: Result: Held as Scheduled	
03/09/2016	The following form was generated:  Notice to Appear Sent On: 03/09/2016 09:22:28	
03/09/2016	The following form was generated:  Notice to Appear for Final Pre-Trial Conference Sent On: 03/09/2016 09:26:05	
03/11/2016	Endorsement on Motion to extend tracking deadline(s) (#13.0): ALLOWED After hearing, ALLOWED as follows: The period to complete discovery is extended to 7/7/16. Any Rule 56 shall be served by 8/1/16 and filed in compliance with Superior Court Rule 9A(b)(5) by 8/31/16. The court shall conduct a Final Pretrial Conference on 9/22/16 at 2 p.m. If a Rule 56 motion is filed, it shall be heard at the time set for, and in lieu of, the Final Pretrial Conference. (Dated: 3/7/16) notice sent 3/11/16	
09/19/2016	Plaintiff, Defendant John F. McGillian, Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley's Joint Motion to continue Hearing	14
09/19/2016	Attorney Matthew Shayefar, Esq., Valentin David Gurvits, Esq.'s motion to withdraw as counsel of record for party  Applies To: Gurvits, Esq., Valentin David (Attorney) on behalf of Hadley Pollet LLC (Defendant); Shayefar, Esq., Matthew (Attorney) on behalf of Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley (Defendant)	15
09/20/2016	Endorsement on Motion to continue / reschedule an event Final Pretrial Conference (#14.0): ALLOWED Allowed in part insofar as the hearing on 9/22/16 shall be held to address the issue of counsel. Defendants' counsel shall notify Hadley Pollet of the hearing on 9/22/16 and of the Court's expectation that defendant shall attend the hearing in person. The Court will set a schedule for future proceedings in this case on 9/22/16. (Dated: 9/20/16) notice sent 9/20/16	
09/20/2016	The following form was generated:  Notice to Appear Sent On: 09/20/2016 14:54:09	
09/20/2016	Event Result: The following event: Rule 56 Hearing scheduled for 09/22/2016 02:00 PM has been resulted as follows: Result: Not Held Reason: By Court prior to date	
09/20/2016	Defendant Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley, Hadley Pollet LLC's EMERGENCY Motion to continue / reschedule an event 09/22/2016 02:00 PM Motion Hearing	16
09/20/2016	Endorsement on Motion to continue / reschedule an event Motion Hearing (#16.0): Other action taken ALLOWED only if by 9/21/16 counsel for defendant provides the court with a date and time during the week of 9/26/16 that is acceptable to all counsel and Ms. Pollet to attend the hearing. Otherwise, the hearing shall occur on 9/22/16 as scheduled and counsel from out of town may participate by telephone. (Dated: 9/20/16) notice sent 9/20/16	
09/22/2016	Event Result: The following event: Motion Hearing scheduled for 09/22/2016 02:00 PM has been resulted as follows: Result: Held as Scheduled	

Docket Date	Docket Text	File Ref Nbr.
09/22/2016	The following form was generated:  Notice to Appear Sent On: 09/22/2016 14:54:38	
09/22/2016	The following form was generated:  Notice to Appear Sent On: 09/22/2016 14:56:25	
09/30/2016	Endorsement on Motion to Withdraw as Counsel (#15.0): ALLOWED After hearing, ALLOWED ultimately without opposition of Ms. Pollet. The Clerk shall schedule a Final Pretrial Conference in January 2017 to give Ms. Pollet an opportunity to secure new counsel. Notwithstanding Mr. Gurvits' agreement to return the money Ms. Pollet paid him for his representation in this case, that alone does not resolve the potential conflict issue. I cannot determine on the record before me whether Mr. Gurvits violated the Rules of Professional Conduct by pursuing or agreeing to represent a client adverse to Ms. Pollet's boyfriend and employer, if Ms. Pollet is a potential party or material witness in the new case, or if Mr. Gurvits may ethically continue to represent the plaintiffs in that new case. See e.g. Mass. R. Prof. Conduct 1.6, 1.7, 1.8(b), 1.9(c). The situation has the appearance of client-shopping. Before proceeding further with their new representation, it is incumbent on Mr. Gurvits and Mr. Shayefar to determine that they may ethically represent their new client(s) who are now adverse to Ms. Pollet's boyfriend and employer, including potentially seeking a formal ruling from the Office of Bar Counsel. (Dated: 9/30/16) notice sent 9/30/16 (Ms. Pollet notified by mail on 9/30/16)	
09/30/2016	Attorney appearance On this date Matthew Shayefar, Esq. dismissed/withdrawn for Defendant Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley	
09/30/2016	Attorney appearance On this date Valentin David Gurvits, Esq. dismissed/withdrawn for Defendant Hadley Flynn Pollet a/k/a Hadley F. Pollet a/k/a Hadley Pollet a/k/a Hadley	
09/30/2016	Attorney appearance On this date Valentin David Gurvits, Esq. dismissed/withdrawn for Defendant Hadley Pollet LLC	
09/30/2016	The following form was generated:  Notice to Appear for Final Pre-Trial Conference Sent On: 09/30/2016 13:59:37	
09/30/2016	Attorney appearance On this date Pro Se added for Defendant Hadley Pollet LLC	
09/30/2016	General correspondence regarding letter from Attorney Gurvits dated September 30, 2016 re: case filed in Suffolk Superior Court, length of representation of Mr. Steven Barlow	17
09/30/2016	Event Result: The following event: Hearing on Withdrawal of Attorney scheduled for 09/30/2016 09:00 AM has been resulted as follows: Result: Held as Scheduled	
11/18/2016	General correspondence regarding Letter from Hadley Pollet to judge Krupp ( filed )	18